

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JOHN DANIEL MOONEY,

Plaintiff,

v.

DEBORAH A. MOONEY,

Defendant.

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CIVIL ACTION NO. 05-10502-JLT

NOTICE OF APPEAL

Notice is hereby given that JOHN DANIEL MOONEY, plaintiff in the above-entitled action, hereby appeals to the United States Court of Appeals for the First Circuit from the Order of the Court (Tauro, J.) allowing the Defendant's Motion for the Court to Decline Jurisdiction, entered in this action on the 18th day of October, 2005.

Respectfully submitted,
JOHN DANIEL MOONEY, by his attorneys,
Jackson & Coppola, P.C.

/s/ Brian J. Hughes

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Dated: November 7, 2005